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#9

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

STEPHEN M. ALLEN ET AL.

CASE NO.: BB-1315

APPLICATION NO.: 09/857,522

GROUP ART UNIT: UNKNOWN

INT. FILING DATE: 15 DEC 1999

EXAMINER: UNKNOWN

FOR: PLANT CARBON CATABOLITE
REPRESSION PROTEINS

RESPONSE TO NOTIFICATION OF A DEFECTIVE RESPONSE

Commissioner for Patents
Washington, DC 20231

Sir:

In response to the NOTIFICATION OF A DEFECTIVE RESPONSE mailed December 31, 2001, please amend the application as follows and consider the following remarks.

IN THE SEQUENCE LISTING:

Please delete the sequence listing and insert the enclosed substitute sequence listing into the application.

REMARKS

The sequence listing has been amended in response to the Notification of a Defective Response. No new matter is believed to be added.

Please charge any fees necessitated by this response to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company).

In view of the foregoing, allowance of the above-referenced application is earnestly solicited.

Respectfully submitted,

Paul D. Golian
Attorney For Applicants
Registration No. 42,591
Telephone: 302-992-3749
Facsimile: 302-892-1026

Dated: 3/8/02



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PTO/SB/92 (08-00)

OFFICE OF PETITIONS

Approved for use through 10/31/2002. OMB 0651-0031
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Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

on March 8, 2002
Date

Melissa McCullin
Signature

MELISSA MCCULLIN

Type or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

09/857,522

BB1315

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLE
UNDER 37 CFR 1.137(a)

FEE TRANSMITTAL

RESPONSE TO NOTIFICATION OF A DEFECTIVE RESPONSE

STATEMENT UNDER 37 CFR 1.821(g) AND 1.825(b)

SEQUENCE LISTING - CRF

SEQUENCE LISTING - 29 PAGES

EXHIBITS: 1, 2, AND 3

RETURN RECEIPT CARD

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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<h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">for FY 2002</h3> <p style="font-size: small; margin: 0;">Patent fees are subject to annual revision.</p>		<p>Complete if Known</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>Application Number</td><td>09/857,522</td></tr> <tr><td>Filing Date</td><td>UNKNOWN</td></tr> <tr><td>First Named Inventor</td><td>STEPHEN M. ALLEN ET AL.</td></tr> <tr><td>Examiner Name</td><td>UNKNOWN</td></tr> <tr><td>Group / Art Unit</td><td>UNKNOWN</td></tr> <tr><td>Attorney Docket No.</td><td>BB-1315</td></tr> </table>		Application Number	09/857,522	Filing Date	UNKNOWN	First Named Inventor	STEPHEN M. ALLEN ET AL.	Examiner Name	UNKNOWN	Group / Art Unit	UNKNOWN	Attorney Docket No.	BB-1315
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<p>TOTAL AMOUNT OF PAYMENT (\$)</p>		<p>Office of Petitions</p>													

<p align="center">METHOD OF PAYMENT (check all that apply)</p> <p> <input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None </p> <p><input checked="" type="checkbox"/> Deposit Account:</p> <table style="width:100%;"> <tr> <td style="width:30%;">Deposit Account Number</td> <td>04-1928</td> </tr> <tr> <td>Deposit Account Name</td> <td>E. I. du Pont de Nemours and Company</td> </tr> </table> <p>The Commissioner is authorized to: (check all that apply)</p> <p> <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account </p> <hr/> <p align="center">FEE CALCULATION</p> <p>1. BASIC FILING FEE</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>101</td><td>740</td><td>201</td><td>370</td><td>Utility filing fee</td><td></td></tr> <tr><td>106</td><td>330</td><td>206</td><td>165</td><td>Design filing fee</td><td></td></tr> <tr><td>107</td><td>510</td><td>207</td><td>255</td><td>Plant filing fee</td><td></td></tr> <tr><td>108</td><td>740</td><td>208</td><td>370</td><td>Reissue filing fee</td><td></td></tr> <tr><td>114</td><td>160</td><td>214</td><td>80</td><td>Provisional filing fee</td><td></td></tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL (1)</td> <td></td> <td>(\$) 0</td> </tr> </tbody> </table> <p>2. EXTRA CLAIM FEES</p> <table style="width:100%;"> <tr> <td>Total Claims</td> <td>-20</td> <td>=</td> <td>0</td> <td>X</td> <td>18</td> <td>=</td> <td>0</td> </tr> <tr> <td>Independent Claims</td> <td>-3</td> <td>=</td> <td>0</td> <td>X</td> <td>84</td> <td>=</td> <td>0</td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td></td> <td>X</td> <td>280</td> <td>=</td> <td>0</td> </tr> </table> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>102</td><td>84</td><td>202</td><td>42</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>104</td><td>280</td><td>204</td><td>140</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>109</td><td>84</td><td>209</td><td>42</td><td>** Reissue independent claims over original patent</td><td></td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL (2)</td> <td></td> <td>(\$) 0</td> </tr> </tbody> </table> <p align="right">**or number previously paid, if greater; For Reissues, see above</p>	Deposit Account Number	04-1928	Deposit Account Name	E. 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SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	PAUL D. GOLIAN	Registration No. Attorney/Agent)	42,591	Telephone	302-992-3749
Signature				Date	3/8/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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Exhibit 1 -



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ORIGINALLY FILEDCommissioner for Patents, Her PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.

09/857,522

FIRST NAMED APPLICANT

Stephen M Allen

ATTY. DOCKET NO.

BB-1315

INTERNATIONAL APPLICATION NO.

PCT/US99/29824

I.A. FILING DATE

12/15/1999

PRIORITY DATE

12/16/1998

Rizzo, Thomas M.
E I Du Pont De Nemours and Company
Legal Patent Records Center
1007 Market Street
Wilmington, DE 19898

FEB 19 2002

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PATENT RECORDS
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CONFIRMATION NO. 5209

371 FORMALITIES LETTER

"OC00000007240472"

Date Mailed: 12/31/2001

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fee
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Request for Immediate Examination

DOCKETED
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FEB 15 2002

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
 - APPLICANT MUST PROVIDE:
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended up to a maximum of six months.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 305-3656

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/857,522	PCT/US99/29824	BB-1315